



**FEDERAL ELECTION COMMISSION**  
WASHINGTON, D.C. 20463

**FEB 19 2004**

**VIA FAX (202-434-1690) AND FIRST CLASS MAIL**

Robert F. Bauer, Esq.  
Brian G. Svoboda, Esq.  
Perkins Coie  
607 14<sup>th</sup> Street, NW  
Washington, D.C. 20005

**RE: MUR 5343**  
**Democratic Senate Majority Fund – Non-**  
**Federal Account and Marc Farinella, as**  
**treasurer**

**Dear Messrs. Bauer and Svoboda:**

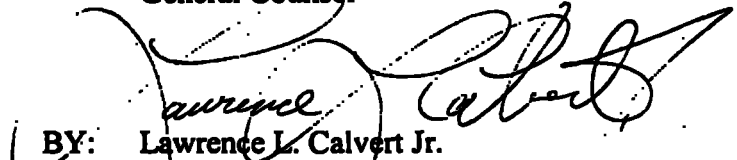
On November 29, 2002, the Federal Election Commission notified your clients of the complaint in MUR 5338, which alleged violations of the Federal Election Campaign Act of 1971, as amended (the "Act"). On January 7, 2003, the Commission severed your clients from MUR 5338 and placed them in the above-referenced MUR 5343. On February 3, 2004, the Commission exercised its prosecutorial discretion and dismissed the complaint with respect to the Democratic Senate Majority Fund – Non-Federal Account and Marc Farinella, as treasurer, and closed its file in this matter.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003). A copy of the General Counsel's Report is enclosed for your information, as well as a Statement for the Record expressing the additional views of Commissioner Mason.

If you have any questions, please contact Jack Gould or Daniel G. Pinegar, the attorneys assigned to this matter, at (202) 694-1650.

Sincerely,

Lawrence H. Norton  
General Counsel

BY:  Lawrence L. Calvert Jr.  
Deputy Associate General Counsel  
for Enforcement

Enclosures  
General Counsel's Report  
Statement for the Record

0805-904-40-42